

From: Son Hawaii [son.hawaii@yahoo.com]
Sent: Wednesday, March 19, 2008 10:33 PM
To: Kobayashi, Ann H.; Marshall, Barbara; Djou, Charles; Dela Cruz, Donovan M; Okino, Gary; Garcia, Nestor; Tam, Rod; Cachola, Romy; Apo, Todd K
Cc: City Clerk; Eng, Henry; Mayor Mufi Hannemann
Subject: OPPOSE Bills 6,7 & 9, & SUPPORT Bill 8: "Key West Illegal Vacation Rental Leads to Jail"



"E Malama i ka Nohona Kaiaulu o O'ahu."

P.O. Box 88131
Honolulu, HI 96830
www.sonhawaii.org

RECEIVED

MAR 20 10 50 AM '08

CITY CLERK
HONOLULU, HAWAII

Dear Council Members;

The owners of illegal B&B's and TVU's have repeatedly claimed that "only" Oahu has issues with short-term rentals. Please review the attached PDF file (**Key West Illegal Vacation Rental Leads to Jail**) that documents their propaganda is false. Visitor lodging businesses such as B&B's and TVU's located in residential zoned neighborhoods are increasingly becoming a problem for many municipalities around the country and the world.

As unanimously recommended by the Planning Commission; Please OPPOSE Bills 6,7 & 9, & SUPPORT Bill 8. Thank you for protecting our residential zoned neighborhoods.

Looking for last minute shopping deals? Find them fast with Yahoo! Search.

MISC. COM. 627

ZONING

[Home](#)

Rental case leads to jail

[Latest](#)

[News](#)

By Christie Phillips cphillips@keynoter.com

Posted-Friday, November 5, 2004 6:55 PM EST

[Cruise](#)

[Ships](#)

Woman faces three felonies, prison time

[Search](#)

[Site](#)

A 46-old-woman was charged with three felonies Thursday - the first person arrested and jailed in Key West's efforts to put an end to illegal vacation rentals in the city.

[Archived](#)

[Items](#)

Teresa Nedellec, who goes by the name Kitty Mancini, is charged with perjury, witness tampering and failure to remit sales tax, each a third-degree felony punishable by five years in prison. She also is charged with operating as an unlicensed real estate broker, a misdemeanor, according to the State Attorney's Office.

She was booked into the Monroe County Detention Center Thursday, and immediately bonded out for \$25,000.

Nedellec was originally caught by Key West Code Enforcement for illegally renting local property on a short-term basis. For that city violation, Nedellec went before a special master.

"The defendant, Teresa Nedellec, appeared in the above official proceeding as the agent of the property owner," State Attorney's Office Investigator Chris Weber wrote in a sworn affidavit. "The defendant stated at the official hearing that the owner was in fact her mother and that she was helping her with her property."

According to Weber, among other things, Nedellec swore that she had "never offered short-term rentals at the above or any other property at Truman Annex during the time in question."

Also, in a taped phone call from a Key West code enforcement officer posing as a potential renter, "The defendant proffered to [the investigator] a free week's rental at the same condominium located in Truman Annex if he would provide false affidavit to the city of Key West," Weber wrote. "This week could be arranged any way he would see fit. This offer was made on at least two occasions during the phone call."

The criminal charges stem from Nedellec's alleged lies under oath to the special master about renting properties for less than 30 days at a time and for allegedly trying to get a false witness in her case, as well as operating without a broker's license.

"Illegal transient renting is a non-criminal code enforcement violation," said City Attorney Bob Tischenkel, noting this was the first arrest made in a transient rental case. "The problem is you're not supposed to lie under oath."

It is also a felony to avoid paying taxes.

"The testimony and supporting documents show that the defendant did in fact collect sales tax on the illegal rental, despite records failing to locate a registration for the defendant and therefore not registered to collect sales tax in the State of Florida," Weber wrote.

[<BACK to Latest News](#)